

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A bottle stopper device for use with a bottle having a liquid therein, comprising:

a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second ~~[[end;]]~~ end, the lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the ~~[[bottle;]]~~ bottle and the upper portion having a length and disposed adjacent the lower portion for extending above the opening of the bottle when the lower portion is inserted in sealing engagement with the bottle, wherein the upper portion defines a pour opening composed of a plurality of substantially uniformly disposed apertures, the pour opening extending across substantially an entire cross section of the upper portion;

an air passageway disposed adjacent to, and extending longitudinally beyond the length of, said lower portion in a direction away from said upper portion along the internal periphery of said cylindrical body, ~~wherein said air passageway is substantially encircled by said plurality of apertures; and~~

a visual indicator disposed on an outer surface of said upper portion for identifying the relative location of said air passageway with respect to said visual indicator; ~~[[and]]~~

the upper portion having a substantially circular interior cross-sectional shape and extending above and surrounding the uniformly disposed apertures and the air passageway such that the upper portion is adapted to permit sealing the liquid in the bottle from the atmosphere by a cap insertable into the upper

~~portion~~ interior of the upper portion ~~bottle stopper~~ to close both the apertures and the air passageway to the atmosphere.

2. (Previously Presented) The device of claim 1 wherein said visual indicator is positioned on the second end and on the upper portion of said cylindrical body.

3. (Original) The device of claim 1 wherein said visual indicator comprises a spout.

4. (Original) The device of claim 3 wherein said spout is an anti-drip spout.

5. (Previously Presented) The device of claim 3 wherein said spout comprises a mouth extending outwardly past the cylindrical body and having a slope of about 50 degrees relative to said cylindrical body.

6. (Previously Presented) The device of claim 3 wherein said spout has an outermost extent of about 0.10 inches from the upper portion.

7. (Original) The device of claim 1 wherein said visual indicator comprises a protuberance.

8. (Original) The device of claim 1 wherein said visual indicator comprises an indentation.

9. (Original) The device of claim 1 wherein said visual indicator comprises a marking having a color different from the color of said cylindrical body.

10. (Previously Amended) The device of claim 3 wherein said visual indicator is angularly spaced from said air passageway by at least 120°.

11. (Previously Amended) The device of claim 10 wherein said visual indicator is angularly spaced from said air passageway about 180°.

12. (Previously Amended) The device of claim 3 wherein the plurality of apertures each have an interior cross-sectional dimension of about 0.04 inches or less and form a filter disposed within and integrally formed within said cylindrical body, said filter extending across said pour opening.

13. (Original) The device of claim 12 wherein the filter is of the same material as the cylindrical body.

14. (Previously Amended) The device of claim 3 further comprising a cap insertable in sealing engagement with the interior of the second end of said cylindrical body, said cap having an overlapping longitudinal extent that overlaps with the second end when in sealing engagement therewith, said cap being attached to said cylindrical body, and wherein the spout has a longitudinal extent less than the overlapping longitudinal extent of the cap.

15. (Previously Amended) The device of claim 14 wherein a portion of the cap is insertable into the interior of the second end of the cylindrical body, further comprising an integral circumferential sealing ring on one of the cap and the interior of the cylindrical body and, on the other of the cap and cylindrical body, a circumferential sealing groove complementary to the sealing ring, the spout being located above the circumferential sealing ring and groove.

16. (Original) The device of claim 15 wherein the circumferential sealing ring is on the cap.

17. (Previously Amended) The device of claim 14 wherein the cap is integrally attached to said cylindrical body by a flexible strand of material extending from the cylindrical body to the cap at a predetermined location on the circumference of the cylindrical body and angularly spaced at least about 120° from the spout.

18. (Currently Amended) A method of pouring a liquid from a bottle comprising:

inserting a bottle stopper device into a bottle, said bottle stopper comprising:

a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second ~~[[end;]]~~ end, the lower portion having a length and adapted to be inserted into an opening of a bottle in sealing engagement with the ~~[[bottle;]]~~ bottle and the upper portion having a length and disposed adjacent the lower portion for extending above the opening of the bottle when the lower portion is inserted in sealing engagement with the bottle, wherein the upper portion defines a pour opening composed of a plurality of substantially uniformly disposed apertures, the pour opening extending across substantially an entire cross section of the upper portion;

an air passageway disposed adjacent to, and extending longitudinally beyond the length of, said lower portion in a direction away from said upper portion along the internal periphery of said cylindrical body, ~~wherein said air passageway is substantially encircled by said plurality of apertures; and~~

a visual indicator disposed on an outer surface of said upper portion for identifying the relative location of said air passageway with respect to said visual indicator; ~~[[and]]~~

the upper portion having a substantially circular interior cross-sectional shape and extending above and surrounding the uniformly disposed apertures

and the air passageway such that the upper portion is adapted to permit sealing the liquid in the bottle from the atmosphere by a cap insertable into the ~~upper portion~~ interior of the upper portion bottle stopper to close both the apertures and the air passageway to the atmosphere;

verifying a location on said cylindrical body of said visual indicator and the relative location of said air passageway relative to said visual indicator;

orienting the bottle so that when the bottle is tilted in a downward direction for pouring the air passageway will be in a relatively upward facing position; and

pouring contents from said bottle by tilting the bottle in the downward direction such that the air passageway of said bottle stopper device is maintained in a relatively upward facing position.

19. (Previously Amended) The method according to claim 18 wherein the verifying a location on said cylindrical body includes verifying the location of a spout.

20. (Currently Amended) A method for manufacturing a bottle stopper device for use with a bottle comprising:

providing a cylindrical body formed of a flexible, elastic, resilient material and having a lower portion at a first end, and an upper portion at a second end;

providing the lower portion with a length, the lower portion adapted to be inserted into an opening of a bottle in sealing engagement with the bottle;

providing the upper portion with a length and disposing the upper portion adjacent the lower portion such that the upper portion extends above the opening of the bottle when the lower portion is inserted in sealing engagement with the bottle and below the second end and the upper portion also bottle;

providing the upper portion with a pour opening composed of a plurality of substantially uniformly disposed apertures, the pour opening extending across substantially an entire cross section of the upper portion;

providing an air passageway disposed adjacent and extending longitudinally along substantially at least the length of said lower portion and along the internal periphery of said cylindrical body, ~~wherein said air passageway is substantially encircled by said plurality of apertures; and~~

providing a visual indicator disposed on an outer surface of said upper portion for identifying the relative location of said air passageway with respect to said visual indicator.

21. (Previously Amended) The method according to claim 20 wherein providing said visual indicator includes providing a spout.

22. (New) The device of claim 1 wherein said air passageway is substantially encircled by said plurality of apertures.

23. (New) The method according to claim 18 wherein said air passageway is substantially encircled by said plurality of apertures.

24. (New) The method according to claim 20 wherein said air passageway is substantially encircled by said plurality of apertures.